



Jim Werntz, Idaho Director
Environmental Protection Agency
950 W. Bannock, Suite 900
Boise, ID 83702

Regional Freedom of Information Officer
U.S. EPA, Region 10
Office of Ecosystems, Tribal and Public Affairs
1200 6th Avenue ETPA-124
Seattle, WA 98101

March 21, 2017

Via Email: Vitellaro.Chandra@epa.gov and
Kercheval.Stephanie@epa.gov and werntz.james@epa.gov

Re: Freedom of Information Act request – Donald G. Smith (Idaho) Records

Dear Mr. Werntz and FOIA Officers:

I am requesting documents under the Freedom of Information Act (FOIA) that relate to correspondence between and among Mr. Donald Gene Smith (aka Donald Eugene Smith) of Riggins, Idaho and the Environmental Protection Agency (EPA), including records pertaining to applications for National Pollutant Discharge Elimination System (NPDES) permits associated with small-scale mining operations in Idaho.

I hereby request, pursuant to the FOIA, 5 U.S.C. § 552, the following records:

- 1) All correspondence from Jan. 1 2012-present, between Donald G. Smith (or his representatives) and the EPA, regardless of whether the EPA was the intended recipient of said correspondence,
- 2) Copies of any NPDES (General Permit for Small Scale Placer Mining a.k.a. suction dredge mining) applications submitted to the EPA by Donald G. Smith or his representatives between Jan. 1 2012-present,
- 3) Copies of any permits issued by EPA or other agencies to Donald G. Smith or his representatives between Jan. 1 2012-present, and
- 4) Copies of any Joint Application for Permits from Mr. Donald G. Smith

(or his representatives) that may be in the possession of the EPA between Jan. 1 2012-present, regardless of whether said correspondence was initially directed to the EPA.

To the extent practicable, we prefer these documents to be released in electronic format, via email or on a CD.

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii), I seek a fee waiver for the search and production costs associated with this request. Idaho Conservation League is a non-profit organization with no commercial interest in the requested information. Further, disclosure of the information will contribute significantly to public understanding of the Mr. Donald Smith's application for use of public resources, specifically related to applications and discussions associated with the NPDES program relative to suction dredge mining in Idaho. The public, and the Idaho Conservation League in particular, has maintained a long-term interest in the protection of water resources in Idaho. Release of the requested information will significantly contribute to the public's understanding of the EPA's actions and efforts to protect and manage public resources. The requested information consists of internal agency documents not previously made available to the general public. Thus, the only means by which the public may obtain such information is through release of the requested documents. I will use the information subject to this request to gain an understanding of the actions of EPA and/or affiliated management entities; and to educate the public about the EPA's actions, findings and recommendations. The Idaho Conservation League has substantial ability to disseminate such information to the public, both through publications such as our quarterly newsletter, and through postings on our Internet website, www.idahoconservation.org. Accordingly, I am entitled to a full fee waiver for this request.

Please feel free to call me to discuss any aspect of this request. As required by the Freedom of Information Act, a response to this request must be made within **20 working days** of your receipt of this letter (5 U.S.C. § 552(a)(6)(A)(i)), however because we have attempted to simplify our request, and because discharges are expected to begin occurring tomorrow (July 15, 2016) we respectfully request expedited processing. Thank you for your assistance.

Sincerely yours,



Jonathan Oppenheimer
Government Relations Director